

# EXHIBIT "A"

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
(PHILADELPHIA)**

IN RE:

**Shahidul Gaffar**

Debtors

CHAPTER 13

CASE NO.: 21-12804-mdc

**STIPULATION IN SETTLEMENT OF MOTION FOR RELIEF FROM THE AUTOMATIC  
STAY**

It is hereby stipulated by and between Hill Wallack, LLP, counsel for PENTEX HOLDINGS, LLC (“Movant”), and Brad Sadek, Esquire, counsel for the Debtor, as follows:

1. The Automatic Stay as provided by Section 362 of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. The Stipulation pertains to the property located at 212 N. Springfield Road, Clifton Heights, PA 19018 (the “Property”).
3. The Debtor currently has a post-petition arrearage of \$3,866.84 representing the monthly payments due on the First Mortgage from February 1, 2022 through May 1, 2022 (\$1,186.36 x 1 month, \$1,186.37 x 3 months) minus \$878.63 in suspense and Attorney’s Fees and Cost in the amount of \$1,050.00 plus \$188.00 for a total of \$5,104.84
4. Debtor is to file an Amended Chapter 13 Plan within 30 days of this Order incorporating the post-petition arrears in the amount of \$5,104.84 to the pre-petition arrears in the amount of \$96,011.55 per the Proof of Claim filed December 21, 2021 for a total of \$101,116.39 to be cured over the life of the Plan.
5. Beginning June 1, 2022, Debtor shall commence payment of the regular monthly payment in the amount of \$1,186.37, subject to adjustment on proper notice.
6. Should the Debtor fail to make any of the Post-Petition Monthly Payments due or file the amended Plan than Movant shall send Debtor and counsel a written Notice of Default of this Stipulation. If the default is not cured within fifteen (15) days of the date of the Notice, counsel shall file a

Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.

7. In the event the Debtor converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, Movant shall send Debtor and counsel a written Notice of Default of this Stipulation. If the default is not cured within ten (10) days of the date of the Notice, counsel shall file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.

8. Debtor's tendering of a check to PENTEX HOLDINGS, LLC, which is subsequently returned due to insufficient funds in the account upon which the check is drawn, shall not constitute payment as the term is used in this Stipulation.

9. The parties stipulate that Movant shall be permitted to communicate with the Debtor and Debtor's Counsel to the extent necessary to comply with applicable non-bankruptcy law.

10. The parties agree that a facsimile signature shall be considered an original signature.

/s/Angela C. Pattison, Esq.

Angela C. Pattison, Esquire  
Counsel for Movant

/s/ Brad Sadek

Brad Sadek, Esquire  
Counsel for Debtors

/s/ LeeAne O. Huggins

LeeAne O. Huggins, Esq.,  
Office of Chapter 13 Trustee

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
(PHILADELPHIA)

IN RE:

**Shahidul Gaffar**

Debtor

CHAPTER 13

CASE NO.: 21-12804-mdc

**ORDER APPROVING THE STIPULATION RESOLVING THE MOTION FOR RELIEF FROM  
THE AUTOMATIC STAY**

**AND NOW**, this 28th day of May 2022, it is hereby **ORDERED** that the  
corresponding Stipulation is hereby approved, shall be, and is hereby made an Order of this Court.

BY THE COURT:



Magdeline D. Coleman  
Chief U.S. Bankruptcy Judge

Case Administrator to mail:

Cc: Kenneth E. West, Chapter 13 Trustee  
Debtor: 212 N. Springfield Road, Clifton Heights, PA 19018  
Counsel for Debtor: Brad Sadek, Esquire  
Counsel for Movant: Angela C. Pattison, Esquire

# EXHIBIT "B"



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Angela C. Pattison, Esquire  
Email: [apattison@hillwallack.com](mailto:apattison@hillwallack.com)

September 26, 2022

**Via First-Class Mail**

**Brad J. Sadek**  
**Sadek and Cooper**  
**1500 JFK Boulevard**  
**Suite 220**  
**Philadelphia, PA 19102**

**Re: Shahidul Gaffar**  
**Eastern District (Philadelphia) 21-12804-mdc**

Dear Mr. Sadek:

Please be advised that the debtor and co-debtor are in default of the terms of the Stipulation approved on May 28, 2022. As of September 26, 2022, the following payments are due and owing:

<u>Regular Payment: 06/01/2022 to 09/01/2022 (4) @ \$1,186.37</u>	<u>\$4,745.48</u>
<u>Suspense</u>	<u>(-\$0.00)</u>
Total Due.....	\$4,745.48

If the payment default is not cured within fifteen (15) days from the date of this notice, a Certificate of Default requesting the entry of an Order granting relief from the automatic stay and co-debtor stay will be filed.

Very truly yours,

/s/ Angela C. Pattison, Esquire  
Angela C. Pattison, Esquire

ACP:jsh  
Cc: Shahidul Gaffar  
Abdul Gaffar

***THIS FIRM IS A DEBT COLLECTOR, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOUR PERSONAL LIABILITY FOR THE DEBT HAS BEEN DISCHARGED IN BANKRUPTCY, WE ARE ONLY PROCEEDING AGAINST THE REAL ESTATE SECURED BY THE MORTGAGE.***